

REMARKS

The non-final Office Action mailed August 27, 2007 has been received and its contents carefully considered. Reconsideration and withdrawal of the outstanding rejections are respectfully requested in view of the foregoing amendments and the following remarks.

Turning first to the various issues with drawings, it is noted that replacement and annotated drawing sheets for FIGS. 1 and 2 accompany this submission. In the replacement sheets, FIG. 1 has been amended to add the first bending device 24, which had been shown in originally filed drawings in this case. Thus, it is believed that the bending device 24 is now properly shown, and that it is consistent with the originally filed disclosure. With regard to the reference characters in FIG. 2, the additional reference characters that are not used in the specification have been removed from this figure. Also, reference numerals 26 and 28 in FIG. 2 have been removed. It is believed that these new drawings are thus fully responsive to the issues raised in the Office Action.

Turning next to the rejection of claims 1, 13, 16 and 70 under 35 U.S.C. 112, first paragraph on the basis of alleged failure to comply with the written description requirement, this rejection is respectfully traversed. It is the Applicant's understanding that the Examiner finds that the original disclosure at page 8, lines 15-19, that the bending objects were "adjustable in both vertical or horizontal directions" is unclear. By this amendment, Applicant is amending this sentence to recite that the bending objects are "adjustable in both vertical and horizontal directions."

In this regard, Applicant respectfully submits that due to the grammar of this sentence, either the words "and/or," "and" or "or" might be viewed as the applicable word in this instance. The claims have been amended to recite that the adjustment is in *both* the vertical *and* horizontal directions, it is believed that this amendment to the specification is consistent with the presently claimed features. Further, it is well settled that the wording of the originally filed claims themselves constitute a part of Applicant's original disclosure. In this regard, the Examiner's attention is respectfully directed to originally filed (and now canceled) claim 8 which recited that

the opening means “are horizontally *and* vertically adjustable.” Thus, at the time of filing, Applicant was clearly in possession of an invention in which the devices were *both* vertically *and* horizontally adjustable. Accordingly, withdrawal of this aspect of the rejection regarding the written description is respectfully requested.

Another issue raised with respect to the written description rejection is that the Examiner finds no support for the bending objects being *rotatable*. In this regard, the Office Action is understood to recognize that examples provided as bending objects include “a wheel” or “a pulley.” First it is respectfully submitted that one skilled in the art would fully understand that a wheel or a pulley are both rotatable. Attached to this amendment are pages from the McGraw-Hill Dictionary of Engineering, in which a *wheel* is defined as a “circular frame with a hub at the center for attachment to an axle, about which it may *revolve* and bear a load.” (emphasis added) It is respectfully submitted that revolving and rotating in this context involve the same context, and thus a wheel is a revolving or rotating item. The attached definition of the word *pulley* states “a wheel with a flat, round, or grooved rim that *rotates* on a shaft and carries a flat belt, z-belt, rope or chain to transmit motion and energy.” Again, this definition includes the word “rotate.”

Moreover, even without resorting to commonly accepted definitions of these two words, which are being used substantially in their ordinary meaning, the Examiner’s attention is also very respectfully directed to the final line of page 8 of the originally filed specification, which refers to a “third or final *turnable* object.” This reference comes after reference to a first, a second and then a next bending object (bending objects 24, 26, and 28). Thus it is believed that this last sentence clearly indicates possession of a set of bending objects in which the third or final bending object, as with the other bending objects, is “turnable.” Accordingly, withdrawal of this aspect of the rejection regarding the written description is respectfully requested.

Turning next to the prior art rejections, claims 1, 13, 16 and 17 stand rejected in the present Office Action as being unpatentable over either one of Japanese ‘366 or Mathews, in view of any one of Bates ‘743, Bates ‘282, Marzocchi ‘830, Marzocchi ‘123, or Marzocchi ‘452, further taken with Gareis, Dennis and Fawley et al. It appears then that the Office Action, at a

bare minimum, requires a combination of five different references in order to allegedly render the claimed invention obvious. Moreover, if Applicant understands the possible variations being suggested in the Office Action itself, this rejection is actually a combination of ten different possible reference combinations of five references each. It is respectfully submitted that the number of references in different combinations places a burden on the Applicant in responding. However, it is noted that the Office Action appears to recognize that both Japanese '366 and Mathews provide "*no evidence that in the reservoir one skilled in the art would have opened up the fibers of the braid in order to facilitate the impregnation of the material.*" Applicant agrees with this statement and thus respectfully questions why these two references would suggest any predictable result or benefit from doing so as in the presently claimed invention.

The Office Action next turns to any one of Bates '743, Bates '282, Marzocchi '830, Marzocchi '123, or Marzocchi '452 as allegedly suggesting opening up the fibers with rollers. However, the Office Action appears to recognize that these references are "*not treating a braided material within the bath.*" Indeed Applicant also agrees with this statement and believes that the two statements provided in italics above in these remarks are actually evidence that the combination proposed by the Examiner is based on hindsight from Applicant's disclosure and not from the combined teachings of these references themselves.

Next, the Office Action is understood to correctly recognize that the proposed combinations described above "*failed to express that one skilled in the art would have been capable of adjusting the spacing of the rollers both vertically and horizontally in the processing, wherein the adjustment of the spacing of the rollers allowed for adjustment in the opening up of the filaments of the fibers being treated.*" Indeed, Applicant agrees that this is a benefit of the presently claimed invention that is in no way taught nor suggested with any predictable result by the references discussed above.

The Office Action is understood to rely on newly cited Dennis and Fawley in this regard. However, the description in the Office Action of the references to Dennis and Fawley ends with a discussion that "*wherein the processing with the rollers and the bath to open up the fibers*

would have been useful for the braided assembly as taught by Gareis.” Gareis, however, does not teach any opening up of fibers *by an adjustable pulley*. Based on the reliance on Gareis, and the other references, it is also respectfully submitted that Dennis and Fawley, even if taken together, similarly did not contemplate the combination and the resulting benefits as provided in the presented claims.

Applicant recognizes that the large number of references being combined by itself does not lead to a conclusion of patentability. However, in this instance it is believed that the Office Action itself, as well as the references themselves, provide if anything a road map as to the *unobviousness* of the present combination. Accordingly, full reconsideration of the claims in light of these remarks is respectfully requested.

Entry of this amendment is respectfully requested in this instance. No new claims are added, and the pending claims are not being amended, with the exception of the cancellation of one claim. The changes to the specification and drawings being made herein relate to formal matters and thus will put the application in better condition for allowance or appeal. Moreover, the argument directed to the written description requirement is also believed to place the case in better form for allowance or appeal. Finally, reconsideration of the patentability arguments is believed in order and such action is requested.

In view of the foregoing, reconsideration and allowance of the application are believed in order, and such action is earnestly solicited. Should the Examiner believe that a telephone conference would be helpful in expediting prosecution of the application; the Examiner is invited to telephone the undersigned at 202-861-1696.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to Attorney Docket No. **79287.21520**.

Respectfully submitted,

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Attachments: Formal drawings of Figures 1 and 2
Pages from McGraw-Hill Dictionary of Engineering

Appendix A

Submission of proposed formal drawings of Figures 1 and 2.